

Restraint on Southern Suits Set Aside.
SEABOARD AIR LINE WINS.
Norfolk Judge Declares Trust Companies' Suits Were Not Properly Brought.
HE DISMISSES ALL THE BILLS.
Adds, However, That He Believes the Law, if Rightly Invoked, Can Put an End to the Ruinous War.

Norfolk, Va., April 2.—Judge Hughes, of the United States Circuit Court last fall granted a restraining order in the matter of rate cutting between the Seaboard Air Line and Southern Railway systems, which put an end to the very vigorous war that had been commenced between these two lines through the South. The merits of the question were argued before him here several weeks ago, and today he handed down the following opinion, which sets aside the restraining order:

"This is a bill by two trust companies of Baltimore claiming to be the owners of about \$180,000 bonds of the different roads composing the Seaboard Air Line system of which about \$16,000 were bonds of the Seaboard proper and over \$2,500,000 of bonds of the different roads composing the Atlantic Coast Line and the Southern Railway system. There is no allegation as to the proportion in which the two complainants own these bonds. The bill makes defendants the Seaboard & Roanoke Railroad Company (and no other road of its system) and various other roads connected with the Atlantic Coast Line and Southern Railway system. It alleges with some amplification that a rate war has arisen between the Seaboard system and the Southern system, that the result is ruinous to their bonds secured on these different roads, and it prays the Court to stop it. To this bill a demurrer was filed by the Seaboard. Some of the other defendants entered a general appearance, and the others answered. When the bill was filed a temporary restraining order was issued.

New Papers Filed in the Case.
On March 10 the case came up for hearing on bill and demurrer. On that day a bill, called by the complainants a supplemental bill, was filed, alleging a demand on the Seaboard & Roanoke Railroad Company, and its refusal to bring suit, on the grounds stated in the original bill, but not making it a party defendant—one of the complainants also, as leave of the Court, intervened as trustee in some of the mortgages, and the same leave was granted to the Central Trust Company and the Farmers' Loan and Trust Company, intervening as trustees of many million dollars in bonds, none of them being Seaboard bonds. Demurrers were promptly filed to these new papers, and an order was entered setting all of these demurrers down for argument on the next day, and the case was immediately argued upon the grounds raised by these demurrers.

As all of the Seaboard system is concerned, the object of the bill is to enjoin it from reducing rates on the admitted theory that through it the injunction will operate over the entire system to Atlanta. It appears that the Seaboard & Roanoke Railroad is, with the Seaboard, lessee of the Georgia, Carolina & Northern. Neither the Georgia & Northern, nor the Georgia, Carolina & Northern is a party, and yet I am asked to enjoin rates over them on the mere allegation that the Seaboard, by virtue of owning a majority of the Raleigh & Gaston stock, controls them. Mere ownership of stock is in no legal sense a control, and it is elementary law in the Federal courts that there is no jurisdiction to enter a decree directly affecting the rights of absent parties. In such case the Court has no alternative but to dismiss the bill.

Dismisses All the Other Bills.
It is equally clear that the trustee in the mortgage securing the Seaboard and Roanoke bonds is a necessary party in the Federal courts, where any two bondholders ranged on different sides might defeat jurisdiction. The doctrine that the trustee represents them is all too vital to be frittered away. And a mere allegation of demand and refusal is not sufficient, for any adjudication would not bind him, and two defendants might be vexed with a second suit in his name. And, besides, he is entitled to a day in court to show why he refused, and to take charge of the litigation at any subsequent stage if he sees fit.

It is, also, clear that the original bill is multifarious, containing disconnected causes of action against different defendants, and that this vice is flagrantly aggravated by the additional intervention and amendments.

For these reasons I will enter a decree sustaining all the demurrers and dismissing the bills and petitions.

I must confess an inclination to the opinion that on a proper bill, with proper parties, a court may decide the merits of a rate war, but as this case goes off on a question of jurisdiction, I make no ruling on that point.

RATES TO BE MAINTAINED.
Western Passenger Association, However, Omits All Reference to the Subject in the New Argument.

Chicago, April 2.—The general passenger agents of the Western roads met today to formulate an agreement under which the Western Passenger Association will be conducted hereafter. The agreement will be similar to the old one, with the exception that it will omit all reference to rates or the maintenance of rates. The agreement will not be put into effect until after the legal departments of the roads have been given an opportunity to pass upon it and look for flaws that may be likely to bring the roads into conflict with the recent United States Supreme Court decisions.

The Western roads have determined to make it as warm as possible for any of their fellows caught demoralizing rates. The factors of the Interstate Commerce Commission are to be held over the heads of possible offenders and when a road is caught the others will make it interesting before the Commission for the delinquent. It is thought that in this way rates can be better maintained than by the enforcement of a penalty clause in the agreement.

Union Pacific Gets an Ally.
Cheyenne, Wyo., April 2.—An important conference of Oregon Short Line and Union Pacific general officers was held here last night to consider the traffic and passenger alliance between the lines, which it has been expected would be effected ever since the segregation. A member of the party said that a close traffic agreement was reached which practically makes the two lines one great transcontinental system so far as business is concerned.

Railroads to Be Investigated.
Washington, April 2.—The Interstate Commerce Commissioners will leave here tomorrow to begin an investigation of charges of discrimination made against a

FAKE RIP VAN WINKLE.
Tarrytown's Picturesque Visitor Was None Other Than a Venerable and Widely Known Resident of Yonkers.

Tarrytown-on-the-Hudson was abuzz with the story of Jacob Minnerly, a latter day Rip Van Winkle, who returned, strangely enough, on All Fool's Day to his childhood's home in Sleepy Hollow, after an absence of fifty-two years in foreign lands, and, like the immortal Rip of Washington Irving, found himself forgotten and the friends of his youth dead and gone.

Sympathy dwells so naturally in the heart of Tarrytown that for a brief space nobody doubted the truth of the story. The arrival of several fine museum managers from this city with offers of a waking engagement for Rip in their pockets served to intensify the popular interest.

An eager search, however, failed to reveal the abiding place of the ancient man, and it might have remained a mystery to this very day but for Grover Jacob Bonediet See, who has lived in Tarrytown nearly three-score years and ten and knows most everybody thereabouts.

"It looks to me," said Mr. See, "as if somebody'd got fooled on this Rip Van Winkle business, because to my certain knowledge Jake Minnerly has lived in Yonkers for the last thirty years. What I mean to say is that he couldn't get far from there unless he walked, because he's 'half baked' and poor as poverty itself. It looks to me as if John Lamb had put up an April fool joke on that New York newspaper. Minnerly was around my store on April 1, but I didn't catch much notice of that for he is in the habit of tramping all over the country."

MRS. GANSFRIED IN COURT.
The Woman Accused of Having 11 Husbands Gave Herself Up Yesterday and Repudiated All But Two.

Mrs. Ella Gansfried, who was accused of having had eleven husbands, went to the Essex Market Police Court, yesterday, and surrendered herself. With her was her lawyer, Morris H. Gottlieb. She was held in \$1,000 bail for examination tomorrow.

Mrs. Gansfried, who seems to be in ill health, carefully denied she ever had more than two husbands. She said she married Samuel Pariser on June 2, 1890. The very next day Pariser disappeared. So did \$50. After six months she met Pariser in the street. She reproached him.

"I don't love you any more," answered this husband of a day.

Mrs. Gansfried said Pariser induced her to go to a rabbi and get a divorce from him, which cost her \$30. Then Morris Gansfried begged her to marry him, and thinking her husband dead, she did marry him, on October 25, 1890. She and Gansfried each contributed some money and started in business. But they did not live happily and separated. Gansfried then brought suit against his wife for some money he claimed she owed him. The suit was heard in the Supreme Court on Thursday, and the fact of her marriage to Pariser was developed.

While Mrs. Gansfried was reading her woes, another woman with her hair confronted Magistrate Cornell. She said she was Mrs. Lena Pariser, of No. 26 St. Mark's place. She wanted a warrant for the arrest of her husband, who was Mrs. Gansfried's first husband.

"I married Samuel Pariser on November 1st, in Chicago," she declared. "He took \$200 of mine and ran away."

Magistrate Cornell told her to return to-day.

The Lost World.
A maiden of the land under the sea, tending a navy officer who was carried beneath the ocean to her home. Read the strange story. Begins to-day in the Evening Journal.

Explosive Structure Scotch Plains Cause Much Worry.
SOAKED IN DEADLY NITRO.
An Italian Dwells in a Shanty Built of an Ex-Glycerine Factory.

Since the explosion of a post at Scotch Plains, N. J., by which one man was killed and another maimed, people who have used retired nitro-glycerine factories for building purposes are afraid to inhabit



THE MINNERLY HOMESTEAD

Tarrytown's Rip Van Winkle Moans.
Jacob Minnerly, an aged wood sawyer from Yonkers, visited the neighboring village of Tarrytown on April Fool's Day for the purpose of testing some celebrated "Sleepy Hollow Wine," which so moved him that he waxed sentimental over the site of the little old school house of his youth. Out of this circumstance was built a beautiful and moving little story that was published in a veracious New York morning paper.

"This music was all appropriated by a man named Seymour Hicks, who is connected with the Gaiety and has been recently in America taking everything he could lay his hands on. This is not his first offence on the rights of American composers. He is the man who took Walter Jones's sketch, 'The Tramp,' which was such a great success in New York, and introduced it in this country at the Gaiety last year."

Mr. Hicks added that he never received any compensation for any of his music which had been produced in London, including many selections from "Evangelina" and the popular song, "It's English, You Know." The same thing, he added, is true with regard to the works of Gustave Kerker and many other American composers.

"If," he said, "I succeed in drawing public attention to this subject, some good may result."

Since I last saw Mr. Hicks he has been

"Plain English."
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DOUBLE FUNERAL IN HARLEM.
Services Held Over the Bodies of Mrs. Rich and Her Daughter, Mrs. Cohen.

PIRATES.
By George Dance and Ivan Caryll, and also the latest sensation by Basil Hood and Walter Slaughter, which will be produced in London Easter Monday. It is a breezy musical farce, and will, he thinks, appeal to all Americans. I believe its name here is "The French Maid."

Rice, who also made several important engagements for the September season, went to Paris to-night in search of a novelty. He returns Tuesday next and sells on the Campana Saturday.

SANG COPYRIGHTED SONG.
The Law is New to District Attorney and Robie's Case Was Adjourned—First Trial of Its Kind.

United States Commissioner Benedict, in the Federal building, Brooklyn, yesterday, heard the first case tried under the new Theatrical Copyright law. It was in the action of Charles Osgood, representing Klaw & Erlanger, against Louis Robie, who brought his Bohemian Company to the Star Theatre, last winter, and whose performers, it is alleged, sang some songs covered by the law. There were a number of theatrical managers on the stand, among them John B. Doris, Hugh Naron, George W. Lederer, T. B. Harris, Charles Robie, W. L. Russell and Charles Osgood.

The testimony went to show, simply, that the songs in question had been sung in many places before they were published under the copyright.

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ing about the provinces here, seeking travelling companies which have new productions eventually destined for the London theatres. He secured several novels including "Three Dashing Widows," by George Dance and Ivan Caryll, and also the latest sensation by Basil Hood and Walter Slaughter, which will be produced in London Easter Monday. It is a breezy musical farce, and will, he thinks, appeal to all Americans. I believe its name here is "The French Maid."

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WANAMAKERS
BROADWAY, FOURTH AVE. NINTH & TENTH STS.

SNAP SHOTS AT STORE NEWS

Brief mention of a few things of especial interest to Saturday shoppers.

No matter whether the purchase be great or small the store principle is that you shall be satisfied. If you are not we want to know it and remedy the trouble. A mutual interest. We want you to feel at home here—that the Store's merchandise and service are at your command. We are self-appointed agents for gathering wanted goods from the four corners of the world and placing them before you at the lowest possible cost. The growth of this business during the past few months proves that our efforts are appreciated.

CHILDREN'S MILLINERY
The days are past when "just any sort of a hat" will do for a child. Great attention is paid to designing and trimming the Children's Hats we sell.

We have some very fine Hats that were made for us by the best French milliners. Could easily sell more than we can get.

Our own milliners never made such pretty little Hats as now. \$4.50 to \$8.

This is children's day at Wanamaker's.

Second floor, Tenth street.

GIRLS' DRESSES
Distinctive styles, large assortment and fair prices are the features of this stock. A list of a few taken at random:

Dresses of figured lawn, trimmed with lace and ribbon, \$2.75 to \$4.25.

Liliputian Dresses, lawn, duck and percale, Tam o' Shanter Hat with each, \$1.75 to \$4.50.

Blue suit in lawn, linen and duck, \$1.75 to \$4.75.

One-piece Dresses of figured lawn, pointed collar, edging of Swiss embroidery, \$4.50 to \$5.75.

Two-piece crash Suits, Eton waist, double collar, edged with white pique, 4 to 14 yrs., \$4.50 to \$5.50.

Second floor, Fourth avenue.

INFANTS' SPRING CLOTHING
Some clever designers at work for us on Infants' Clothing. Ample demonstration of this fact in the stock shown here. Bonnets, Dresses and Reefers in childish styles that are pleasing. Let these Reefers stand sponsors for the stock.

REEFERS
Of serge, a variety of colors, full back fancy collars, trimmed with seven rows of braid, cuffs and pockets braided, \$2.75.

Of all-wool materials, solid colors, coat back, large sailor collar, one wide and six narrow rows of braid on collar and sleeves, \$4.25.

Of ladies' cloth, 6 colors, full back and front, pointed collar handsomely trimmed with mixed white and gilt braid and small pearl buttons. Collars lined with changeable silk, \$5.25.

Second floor.

WOMEN'S SPRING JACKETS
The fabrics, the styles, the trimmings, the tailoring of the Jackets shown here please the most critical. The vast assortment insures a satisfactory choice. Jackets from Paris, Berlin and New York. Prices were never so low.

A price nudge—

Fly front English Top Coats of covert cloth, strapped seams, hip pockets, coat and sleeves lined with taffeta silk, \$10.

Imported chevrot Box Coats, new tan back, hip and foot pockets, large pearl buttons, lined throughout with black satin rhadame, \$12.

Imported diagonal Serge Box Coats, new tan back, hip and foot pockets, pearl buttons, lined throughout with black satin rhadame, \$15.

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BOYS' SAILED SUITS
Did you get that Easter Suit for the boy? Let us help you. Sailor Suits of all-wool crash or fancy chevrots, beautifully trimmed with silk soutache, at \$3.75 to \$5. Not a detail of finish overlooked. Ready and able to stand the strain put upon them by the little chaps.

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Some novel ties just received. See them and you'll not need to be told they are from Paris. Artistic, delicate colorings in centres and borders. For women, 50c; for men, \$1 and \$1.10. Colorings to match fancy shirt fronts.

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BICYCLES
The CONTINENTAL is not an experiment. It has enjoyed an enviable reputation under its \$100 name for the past two years. Our method of gathering and selling merchandise changed the name plate and made the price.

FIFTY DOLLARS.

The CONTINENT, equally worthy, but different in construction.

THIRTY-SEVEN AND A HALF DOLLARS.

Over 11,000 of these Bicycles sold by us. Strictly high-grade up-to-date Bicycles, strong, handsome and easy-running. See them.

Basement.

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With hardy constitutions gained by two years' growth in Holland. Plant them now, and they'll go right to growing. 15c EACH; 2 FOR 25c; \$1.25 A DOZ.

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Boys' Junior Suits in plain and fancy plaid Cheviots. Actual value \$4.00.....\$2.00

Boys' Short and Long Pants Suits, sizes 3 to 8, made to sell at \$6.00.....\$3.50

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Girls' Complete Suit, No. 6887. Orders Received Prompt Attention.

Will be mailed to you on receipt of 25 cents. Regular Price, 25 cents.

It is your right to see other styles, send 10 cents for "MODES," By May Mantion.

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DR. TOBIAS' Venetian Liniment.
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For Rheumatism, Neuralgia, Pains in the Limbs, Back or Chest, Sore Throat, Sprains, Bruises, etc.

See thousands of certificates at the depot, 40 Murray street, N. Y., attesting to its wonderful curative properties. Price, 25 and 50 cents sold by all druggists.

Clay Diagonal
Cutaway Coat and Vest and a pair of trousers for \$14 you wish. Tailor.

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IMPORTING TAILOR
"L" STATION AT DOOR.
6th Ave., cor. 28th St.

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Who can think of some simple way to make money? They may bring you wealth. W. JOHN WENDERSHAGEN & CO., Dept. P. 1, 140 Avenue, Washington, D. C., for their \$5 prize offer and new list of 1,000 inventions we

JOHN WANAMAKER,
Formerly A. T. Stewart & Co., Broadway, 4th Ave., 9th and 10th Sts.